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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 DARYL ROGERS,

11 Plaintiff,

12 v.

13 HOWARD, et al.,

14 Defendants.

CASE NO. 3:21-CV-5311-RSL-DWC

ORDER GRANTING-IN-PART AND
DENYING-IN-PART
MISCELLANEOUS MOTION

15 Plaintiff Daryl Rogers, proceeding *pro se* and *in forma pauperis*, filed this civil rights
16 action under 42 U.S.C. § 1983. On May 13, 2021, the Court screened Plaintiff's Complaint. Dkt.
17 7. The Court declined to serve the Complaint due to deficiencies and directed Plaintiff to file an
18 amended complaint on or before June 14, 2021. *Id.* On May 14, 2021, the Court denied
19 Plaintiff's request for Court-appointed counsel. Dkt. 8.

20 On May 28, 2021, Plaintiff filed the pending Motion. Dkt. 9. Although not specifically
21 characterized as such, the Court finds Plaintiff is requesting the Court reconsider its Order to File
22 Amended Complaint and Order Denying Motion for Appointment of Counsel. *See id.* If the
23 Court declines to reconsider its previous Orders, Plaintiff requests an extension of time to
24 respond to the Order to File Amended Complaint. *Id.*

1 Pursuant to Local Civil Rule 7(h), motions for reconsideration are disfavored and will be
2 denied absent a showing of manifest error or a showing of new facts or legal authority which
3 could not have been presented earlier with reasonable diligence. Plaintiff has not met the
4 standard outlined in Local Civil Rule 7(h). Plaintiff fails to show a manifest error in the Court's
5 prior rulings. Plaintiff also fails to provide new facts or legal authority which relate to the
6 deficiencies outlined in the Court's Order to File Amended Complaint or relate to the
7 appointment of counsel. Therefore, Plaintiff's request for reconsideration of the Court's previous
8 Orders is denied.

9 The Court, however, will grant Plaintiff an extension of time, until July 30, 2021, to
10 respond to the Order to File Amended Complaint. Plaintiff must file an amended complaint and
11 within the amended complaint, he must write a short, plain statement telling the Court: (1) the
12 constitutional right Plaintiff believes was violated; (2) the name of the person who violated the
13 right; (3) exactly what the individual did or failed to do; (4) how the action or inaction of the
14 individual is connected to the violation of Plaintiff's constitutional rights; and (5) what specific
15 injury Plaintiff suffered because of the individual's conduct. *See Rizzo v. Goode*, 423 U.S. 362,
16 371-72, 377 (1976). Each claim for relief must be simple, concise, and direct.

17 In conclusion, Plaintiff's Motion (Dkt. 9) is granted-in-part and denied-in-part. The Court
18 denies Plaintiff's request to reconsider its previous rulings, but grants Plaintiff an extension of
19 time to file an amended complaint. Plaintiff's amended complaint is due on or before July 30,
20 2021.

21 Dated this 10th day of June, 2021.

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24 David W. Christel
United States Magistrate Judge